

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ALBEMARLE CORPORATION

CIVIL ACTION NO. 02-505-JVP-DLD

VERSUS

CIVIL ACTION NO. 02-506-JVP-DLD
(CONSOLIDATED)

GREAT LAKES CHEMICAL
CORPORATION

MAGISTRATE JUDGE'S REPORT

This matter is before the court for a report and recommendation on Great Lakes Chemical Corporation's ("GLCC") motion for summary judgment of non-infringement of U.S. Patent No. 5,008,477 (the '477 patent) (rec. doc. 621). GLCC seeks an order of non-infringement of claim 18 of the '477 patent. Although Albemarle Corporation (Albemarle) disputes many of the facts on which GLCC's motion is premised, it agrees that summary judgment on claim 18 of the '477 patent is appropriate based on the Court's construction of claim 18 of the '477 patent (rec. doc. 579). Because both parties agree that summary judgment is appropriate, the Court recommends that GLCC's motion for summary judgment of non-infringement of U.S. Patent No. 5,008,477(rec. doc. 621) should be **GRANTED**.

Signed in Baton Rouge, Louisiana, on July 24, 2008.



MAGISTRATE JUDGE DOCIA L. DALBY

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NOTICE

Please take notice that the attached Magistrate Judge's Report has been filed with the Clerk of the U.S. District Court.

In accordance with 28 U.S.C. §636(b)(1), you have ten days from date of receipt of this notice to file written objections to the proposed findings of fact and conclusions of law set forth in the Magistrate Judge's Report. A failure to object will constitute a waiver of your right to attack the factual findings on appeal.

ABSOLUTELY NO EXTENSION OF TIME SHALL BE GRANTED TO FILE WRITTEN OBJECTIONS TO THE MAGISTRATE JUDGE'S REPORT.

Signed in Baton Rouge, Louisiana, on July 24, 2008.



MAGISTRATE JUDGE DOCIA L. DALBY